

Remarks

As stated above, Applicants appreciate the Examiner's thorough examination of the subject application and request reexamination and reconsideration of the subject application in view of the preceding amendments and the following remarks.

As of the office action of July 28, 2008, claims 2 and 8-10 were pending in the subject application. With this response applicant has amended claims 2 and 8-10.

A. Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 2 and 8-10 under 35 U.S.C. § 112. *Office Action* page 3. The Examiner states that “[t]he claim(s) contain subject matter which was not described in the specification.” *Id.* Specifically, the Examiner states that “creating a visual effect of entering and leaving an area represented by a panel” and “slide animation” cannot be found [in the location cited by the applicant.]” *Id.* Applicants contend, however, that the specification does contain the subject matter. For example, Applicants point the Examiner to paragraph [0193] of the published application. The paragraph is reproduced below for convenience:

[0193] Referring to FIG. 17, a QuickPlace user room display includes side bar 263, page 261, and action bar 262. To visually indicate movement of page 261 from room to room, the material in side bar 264 slides in the direction of right arrow 264 to enter a room or left arrow 265 to leave it. Referring to FIGS. 18, 19 and 20, material 266 enters side bar from the left to show a new room display down the hierarchy is being entered and displayed in page 261; and material 267 moves to the left to enter side bar 263 as material 266 moves out to the left, indicating that the material in display 261 is changing to a room higher in the hierarchy, that is that display 261 is leaving a room. In this manner, the display projects to the user where he is at any particular time. To show leaving a room, the visual effect is to have the side bar move to the left while the side bar for the room being entered appears from the right.

Subject Application paragraph [0193] (emphasis added). Other sections of the specification and drawings also support the subject matter. In light of the support included in the specification, Applicants respectfully request withdrawal of the § 112 rejection.

B. Rejections under 35 U.S.C. § 102

The Examiner has rejected claim 2 under 35 U.S.C. § 102 over U.S. Patent No. 5,943,053 (filed Apr. 1, 1997) (“Ludolf”). Applicants respectfully suggest that Ludolf fails to anticipate each and every element of newly amended claim 2. For example, Ludolf does not disclose “executing [an] animation of said page associated material such that said page material slides into said side bar from a first direction” as claimed in claim 2. *Ludolf* speaks of “expanding” and “contracting” the size of windows. *Ludolf*, col 6, lines 12-63. However, “slid[ing material] into [a] side bar” is absent from the *Ludolf* reference. As the Examiner is aware, an anticipatory reference under § 102 must disclose each and every element set forth in the claim. M.P.E.P. § 2131; *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). Applicants assert that, because *Ludolf* does not disclose a sliding animation, *Ludolf* fails to disclose each and every element of claim 2 and the § 102 rejection must fail.

The Examiner states that “expanding and contracting . . . is similar to the steps of sliding said page[.]” *Office Action* page 9. Applicants respectfully disagree. The sliding animation, as stated in the specification, creates a visual effect of entering or leaving an area. *See Subject Application*, paragraph [0193] (listed above); *See also Subject Application*, claim 2. Expanding and contracting merely makes a viewed area larger or smaller. It is unclear to applicant how expanding or contracting creates a visual effect of entering or leaving an area. To elucidate the concept, Applicants have amended claim 2 to recite, in part, “creating a visual effect of entering and leaving an area represented by a panel wherein the visual effect creates a visual impression of entering and leaving said area via one or more of a horizontal and vertical sliding motion[.]” *Ludolf* does not appear to disclose or claim a visual effect that “creates a visual impression of

entering and leaving said area via one or more of a horizontal and vertical sliding motion” as claimed in claim 2.

Furthermore, Applicants have amended claim 2 to recite, in part: “wherein said first slide animation and said second slide animation are elements of an aesthetic set inherited from a parent room[.]” Amended Claim 2. As discussed, Applicants assert that *Ludolf* does not disclose a “slide animation.” Further, Applicants assert that *Ludolf* does not disclose “an aesthetic set inherited from a parent room” as claimed. Accordingly, Applicants respectfully request the § 102 rejection of claim 2 because *Ludolf* fails to disclose each and every claimed element of claim 2.

C. Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 8-10 under 35 U.S.C. § 103. Claims 8 and 9 are rejected under § 103 over *Ludolf*. Office Action page 5. *Office Action*, page 6.

Amended claim 8 claims, in part, “providing in said side bar a visual effect of respectively moving up or down said hierarchy of rooms wherein the visual effect creates a visual impression of entering and leaving said area via a vertical sliding motion.” Amended claims 9 and 10 contain similar elements. As discussed above, Applicants assert that *Ludolf* fails to disclose “creating a visual effect of entering and leaving an area represented by a panel wherein the visual effect creates a visual impression of entering and leaving said area via one or more of a horizontal and vertical sliding motion[.]” *Ludolf* does not disclose or claim a visual effect that “creates a visual impression of entering and leaving said area via one or more of a horizontal and vertical sliding motion” as claimed in claims 8-10. Although the Examiner states that *Ludolf*’s expanding and contracting is similar to a sliding animation, Applicants contend that

expanding and contracting does not provide the visual effect of entering and leaving an area as claimed in claims 8-10. See, for example, paragraph [0193] of the subject application:

[0193] Referring to FIG. 17, a QuickPlace user room display includes side bar 263, page 261, and action bar 262. To visually indicate movement of page 261 from room to room, the material in side bar 264 slides in the direction of right arrow 264 to enter a room or left arrow 265 to leave it. Referring to FIGS. 18, 19 and 20, material 266 enters side bar from the left to show a new room display down the hierarchy is being entered and displayed in page 261; and material 267 moves to the left to enter side bar 263 as material 266 moves out to the left, indicating that the material in display 261 is changing to a room higher in the hierarchy, that is that display 261 is leaving a room. In this manner, the display projects to the user where he is at any particular time. To show leaving a room, the visual effect is to have the side bar move to the left while the side bar for the room being entered appears from the right.

Subject Application, paragraph [0193] (emphasis added). The differences between the reference cited and the Applicants' claims becomes apparent in light of the passage above. The expansion and contraction in the cited references do not appear to be able to "indicate . . . leaving a room" or to "show a new room . . . is being entered" as described in paragraph [0193].

The Examiner has rejected claim 10 under § 103 over *Ludolf* and U.S. Patent No. 7,065,785 (filed Jun. 5, 1999) ("*Shaffer*"). The elements of claim 10 are similar to the elements of claims 8 and 9. Therefore, for the reasons outlined above, Applicants contend that claim 10 is patentable under § 103 over *Ludolf*. In regard to *Shaffer*, *Shaffer* also fails to disclose the visual effect of entering and leaving. *Schaffer* is generally directed toward telephony over local area networks, but does not appear to including the animation as claimed in claims 8-10. Accordingly, Applicants assert that the scope and content of the referenced art is different from the claimed invention because the referenced art, alone or in combination, does not contemplate "creat[ing] a visual impression of entering and leaving [an] area via one or more of a horizontal and vertical sliding motion" as claimed in claims 8-10.

Furthermore, Applicants have amended claims 8-10 to recite, in part, “wherein said first slide animation and said second slide animation are elements of an aesthetic set inherited from the parent room.” As discussed, *Ludolf* does not appear to disclose “an aesthetic set inherited from a parent room[.]” *Shaffer* also does not appear to disclose the element.

The Examiner has also rejected claim 10 under § 103 over *Ludolf* and *Shaffer*. *Office Action*, page 6. Claim 10 contains similar elements to claims 8 and 9. For the reasons discussed above

Accordingly, Applicants assert that the scope and content of the referenced art cited does not include or contemplate the elements of claims 8-10. The differences between the claimed invention and the referenced art discussed above are such that a person of ordinary skill in the art, sitting with the cited references on his desk, would not find the claimed invention obvious because the elements discussed above are absent from the references. *See In re Winslow*, 365 F.2d 1017, 1021 (CCPA 1996). Applicants therefore contend that claims 8-10 are patentable under § 103 over *Ludolf* and *Shaffer* and respectfully ask for withdrawal of the § 103 rejections of claims 8-10.

D. Conclusion

In consideration of the amendments and foregoing discussion, the application is now believed to be in condition for allowance. Early allowance of the subject application is respectfully solicited.

This response is not believed to necessitate any additional fees. However, in the event that additional fees are due, please charge or credit any refund to our Deposit Account No. 50-2324.

Respectfully Submitted,

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